© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main B1 (Official Form 1) (4/10) Document Page 1 of 44

United States Bankruptcy Court District of Puerto Rico					Voluntary Petition				
Name of Debtor (if individual, enter Last, First, Mide COLON DIAZ, IVAN	ile):				or (Spouse) (La				
All Other Names used by the Debtor in the last 8 year (include married, maiden, and trade names):	rs		All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):						
Last four digits of Soc. Sec. or Individual-Taxpayer I EIN (if more than one, state all): <b>6847</b>	.D. (ITIN) No./O	Complete	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all): <b>5057</b>						
Street Address of Debtor (No. & Street, City, State & Zip Code):  VISTA MONTE  16 PRINCIPAL STREET			Street Address of Joint Debtor (No. & Street, City, State & Zip Code): VISTA MONTE 16 PRINCIPAL STREET						
CIDRA, PR						ZIPCODE <b>00739</b>			
County of Residence or of the Principal Place of Business: Cidra				Residenc	e or of the Prin	icipal Pla	ice of Busin	ness:	
Mailing Address of Debtor (if different from street a PO BOX 692 CIDRA, PR		Mailing Address of Joint Debtor (if different from street address): PO BOX 692 CIDRA, PR					eet address):		
OIDRA, FR	ZIPCODE <b>00</b>	739	OIDINA,				ZIPCODE <b>00739</b>		
Location of Principal Assets of Business Debtor (if d	ifferent from str	eet address ab	ove):				_		
								ZIPCODE	
Type of Debtor (Form of Organization) (Check one box.)  ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  ☐ Corporation (includes LLC and LLP) ☐ Partnership ☐ Other (If debtor is not one of the above entities, check this box and state type of entity below.)  ✓ Full Filing Fee (Check one box)  ✓ Full Filing Fee to be paid in installments (Applicable to only). Must attach signed application for the court consideration certifying that the debtor is unable to except in installments. Rule 1006(b). See Official	☐ Debtor is  Check if: ☐ Debtor's than \$2,3	Entity pplicable.) organization of tates Code (the cooks: a small busing not a small busi	under he ness debte usiness de	Chapter 1 Chapter 11 Chapter	e Petitio  7  9  11  12  13  e primaril ined in 1  as "incuril primaril family, o  ose."  1 Debtor:  1 11 U.S.  1 ed in 11 U.S.  1 debts owe  1 at 10 U.S.	C. § 101(5) U.S.C. § 10 C. § 1014 C. § 104 C. §	e box.)  Pr Debts are primarily business debts.		
Filing Fee waiver requested (Applicable to chapter only). Must attach signed application for the court consideration. See Official Form 3B.		Check all ap  A plan is  Acceptan	oplicable box being filed w	xes: vith this p un were so	etition olicited prepeti			ore classes of creditors, in	
Statistical/Administrative Information  ✓ Debtor estimates that funds will be available for Debtor estimates that, after any exempt property distribution to unsecured creditors.				id, there v	will be no fund	s availab	le for	THIS SPACE IS FOR COURT USE ONLY	
Estimated Number of Creditors			001- 000	25,001- 50,000	50,00 100,0		Over 100,000		
		000,001 \$50 million \$10	0,000,001 to 00 million	\$100,00 to \$500	00,001 \$500, million to \$1	,000,001 billion	More tha		
Estimated Liabilities		000,001 \$50 50 million \$10	0,000,001 to	\$100,00 to \$500	00,001 \$500, million to \$1	,000,001 billion	More tha		

Case:10-10725-MCF13 Doc#:1 Filed:11/15 B1 (Official Form 1) (4/10)		08:34:59 Desc: Main Page 2				
Voluntary Petition  Document	Page 2 of 44 Name of Debtor(s):					
(This page must be completed and filed in every case)		ZALEZ GONZALEZ, LOURDES				
Prior Bankruptcy Case Filed Within Last 8	T	additional sheet)				
Location Where Filed: <b>None</b>	Case Number:	Date Filed:				
Location Where Filed:	Case Number:	Date Filed:				
Pending Bankruptcy Case Filed by any Spouse, Partner or	Affiliate of this Debtor (If mor	re than one, attach additional sheet)				
Name of Debtor: None	Case Number:	Date Filed:				
District:	Relationship:	Judge:				
Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)  Exhibit A is attached and made a part of this petition.  Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts.)  I, the attorney for the petitioner named in the foregoing petiti that I have informed the petitioner that [he or she] may prochapter 7, 11, 12, or 13 of title 11, United States Code, explained the relief available under each such chapter. I fur that I delivered to the debtor the notice required by § 34.						
X ∕s/ Roberto Figueroa Carrasquillo, Esq. 1						
	Signature of Attorney for Debtor(s)	Date				
Does the debtor own or have possession of any property that poses or is a or safety?  Yes, and Exhibit C is attached and made a part of this petition.  No  Exhibit (To be completed by every individual debtor. If a joint petition is filed, easy to be a part of this petition is filed, easy to be completed and signed by the debtor is attached and manual if this is a joint petition:	bit D ach spouse must complete and attade a part of this petition.					
▼ Exhibit D also completed and signed by the joint debtor is attached	ed a made a part of this petition.					
Information Regarding the Debtor - Venue  (Check any applicable box.)  ✓ Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.  ☐ There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  ☐ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.						
Certification by a Debtor Who Reside	es as a Tenant of Residential I	Property				
(Check all app  Landlord has a judgment against the debtor for possession of debtor		omplete the following.)				
(Name of landlord or lesso	or that obtained judgment)					
(Address of lan	dlord or lessor)					
☐ Debtor claims that under applicable nonbankruptcy law, there are the entire monetary default that gave rise to the judgment for possible.						
Debtor has included in this petition the deposit with the court of a filing of the petition.	any rent that would become due du	aring the 30-day period after the				
☐ Debtor certifies that he/she has served the Landlord with this cert	ification. (11 U.S.C. § 362(1)).					

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main B1 (Official Form 1) (4/10) Document Page 3 of 44

### **Voluntary Petition**

(This page must be completed and filed in every case)

Name of Debtor(s):

**COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES** 

### **Signatures**

### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United State Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

### X /s/ IVAN COLON DIAZ

Signature of Debtor

**IVAN COLON DIAZ** 

### /s/LOURDES GONZALEZ GONZALEZ

Signature of Joint Debtor

**LOURDES GONZALEZ GONZALEZ** 

Telephone Number (If not represented by attorney)

November 15, 2010

Date

### Signature of Attorney\*

X /s/ Roberto Figueroa Carrasquillo, Esq.

Signature of Attorney for Debtor(s)

Roberto Figueroa Carrasquillo, Esq. 9943 R. Figueroa Carrasquillo Law Office PO Box 193677 San Juan, PR 00919-3677 (787) 744-7699 Fax: (787) 746-5294 rfigueroa@prtc.net

### November 15, 2010

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

Signatur	e of Authorize	d Individual		
Printed 1	Name of Author	orized Individu	al	
Title of	Authorized Inc	lividual		

### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- ☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.
- ☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

nature of Fore	eign Representat	ive	
ited Name of	Foreign Represe	entative	

### **Signature of Non-Attorney Petition Preparer**

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address			

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

# © 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 4 of 44 United States Bankruptcy Court

# **District of Puerto Rico**

RE:	Case No
ON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES	Chapter <b>13</b>
Debtor(s)	
DISCLOSURE OF COMPENSATION OF ATT	TORNEY FOR DEBTOR
Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services ref or in connection with the bankruptcy case is as follows:	
For legal services, I have agreed to accept	\$\$,000.00
Prior to the filing of this statement I have received	\$ <u>126.00</u>
Balance Due	\$ <b>\$</b>
The source of the compensation paid to me was: Debtor Other (specify):	
The source of compensation to be paid to me is: Debtor Other (specify):	
I have not agreed to share the above-disclosed compensation with any other person unless th	ey are members and associates of my law firm.
I have agreed to share the above-disclosed compensation with a person or persons who are r together with a list of the names of the people sharing in the compensation, is attached.	not members or associates of my law firm. A copy of the agreement,
n return for the above-disclosed fee, I have agreed to render legal service for all aspects of the ba	inkruptcy case, including:
<ul> <li>Preparation and filing of any petition, schedules, statement of affairs and plan which may be</li> <li>Representation of the debtor at the meeting of creditors and confirmation hearing, and any at</li> <li>Representation of the debtor in adversary proceedings and other contested bankruptey matter</li> </ul>	required; djourned hearings thereof;
By agreement with the debtor(s), the above disclosed fee does not include the following services:	
	Debtor(s)  DISCLOSURE OF COMPENSATION OF AT The pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services resort of or in connection with the bankruptcy case is as follows:  For legal services, I have agreed to accept  The source of the compensation paid to me was:  The source of compensation to be paid to me is:  Debtor Other (specify):  The value of compensation to be paid to me is:  I have not agreed to share the above-disclosed compensation with any other person unless the law agreed to share the above-disclosed compensation with a person or persons who are a together with a list of the names of the people sharing in the compensation, is attached.  In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bank and all the properties of the debtor's financial situation, and rendering advice to the debtor in determining the preparation and filing of any petition, schedules, statement of affairs and plan which may be representation of the debtor at the meeting of creditors and confirmation hearing, and any a representation of the debtor in adversary proceedings and other contested bankruptey matter.

### CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

November 15, 2010

/s/ Roberto Figueroa Carrasquillo, Esq.

Date

Roberto Figueroa Carrasquillo, Esq. 9943
R. Figueroa Carrasquillo
Law Office
PO Box 193677
San Juan, PR 00919-3677
(787) 744-7699 Fax: (787) 746-5294
rfigueroa@prtc.net

B1D (Official Form 1, Exhibit D) (12/09)

### Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main

### Document Page 5 of 44 United States Bankruptcy Court **District of Puerto Rico**

IN RE:		Case No
COLON DIAZ, IVAN		Chapter 13
	Debtor(s)	•

### EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE **CREDIT COUNSELING REQUIREMENT**

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot

do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.
Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.
1. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days <b>before the filing of my bankruptcy case</b> , I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.
□ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]
If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
<ul> <li>Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);</li> <li>Active military duty in a military combat zone.</li> </ul>
The United Sector transfers on books and in interest a books and the table and it controlling a principal of 11 U.S.C. § 100(b).

5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h)

does not apply in this district.

I certify under penalty of perjury that the information provided above is true and correct.

Signature of Debtor: /s/IVAN COLON DIAZ

Date: November 15, 2010

Certificate Number: 02910-PR-CC-012376482



### **CERTIFICATE OF COUNSELING**

I CERTIFY that on <u>September 18, 2010</u>, at 1:30 o'clock <u>PM EDT</u>, <u>Ivan Colon Diaz</u> received from <u>InCharge Education Foundation</u>, <u>Inc.</u>, an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the <u>District of Puerto Rico</u>, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan <u>was not prepared</u>. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: September 18, 2010

By: /s/Yesenia Soto-Torres

Name: Yesenia Soto-Torres

Title: Certified Bankruptcy Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

Transmittal ID: 187731

B1D (Official Form 1, Exhibit D) (12/09)

### Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main

Document Page 7 of 44 United States Bankruptcy Court District of Puerto Rico

District of 1 t	ici to Rico
IN RE:	Case No
GONZALEZ GONZALEZ, LOURDES	Chapter 13
Debtor(s) <b>EXHIBIT D - INDIVIDUAL DEBTOR</b> 'S	S STATEMENT OF COMPLIANCE
CREDIT COUNSELIN	
Warning: You must be able to check truthfully one of the five stat do so, you are not eligible to file a bankruptcy case, and the court whatever filing fee you paid, and your creditors will be able to re- and you file another bankruptcy case later, you may be required to to stop creditors' collection activities.	can dismiss any case you do file. If that happens, you will lose sume collection activities against you. If your case is dismissed
Every individual debtor must file this Exhibit D. If a joint petition is file one of the five statements below and attach any documents as directed	
1. Within the 180 days <b>before the filing of my bankruptcy case</b> , the United States trustee or bankruptcy administrator that outlined the performing a related budget analysis, and I have a certificate from the accertificate and a copy of any debt repayment plan developed through	e opportunities for available credit counseling and assisted me in agency describing the services provided to me. Attach a copy of the
2. Within the 180 days <b>before the filing of my bankruptcy case</b> , the United States trustee or bankruptcy administrator that outlined the performing a related budget analysis, but I do not have a certificate from a copy of a certificate from the agency describing the services provide the agency no later than 14 days after your bankruptcy case is filed.	e opportunities for available credit counseling and assisted me in om the agency describing the services provided to me. You must file
3. I certify that I requested credit counseling services from an approduct appropriate time I made my request, and the following exigent correquirement so I can file my bankruptcy case now. [Summarize exigent content of the content	circumstances merit a temporary waiver of the credit counseling
If your certification is satisfactory to the court, you must still obtayou file your bankruptcy petition and promptly file a certificate froof any debt management plan developed through the agency. Failucase. Any extension of the 30-day deadline can be granted only for also be dismissed if the court is not satisfied with your reasons for counseling briefing.	om the agency that provided the counseling, together with a copy ure to fulfill these requirements may result in dismissal of your r cause and is limited to a maximum of 15 days. Your case may or filing your bankruptcy case without first receiving a credit
4. I am not required to receive a credit counseling briefing because motion for determination by the court.]	of: [Check the applicable statement.] [Must be accompanied by a reason of mental illness or mental deficiency so as to be incapable
of realizing and making rational decisions with respect to finar Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically in participate in a credit counseling briefing in person, by telephone.	ncial responsibilities.); mpaired to the extent of being unable, after reasonable effort, to
<ul><li>Active military duty in a military combat zone.</li><li>5. The United States trustee or bankruptcy administrator has determ</li></ul>	nined that the credit counsaling requirement of 11 U.S.C. § 100/b)
does not apply in this district.	
I certify under penalty of periury that the information provided $\epsilon$	shove is true and correct

Signature of Debtor: /s/LOURDES GONZALEZ GONZALEZ

**Date: November 15, 2010** 

Certificate Number: 02910-PR-CC-012376483

### **CERTIFICATE OF COUNSELING**

I CERTIFY that on <u>September 18, 2010</u>, at <u>1:30</u> o'clock <u>PM EDT</u>, <u>Lourdes Gonzalez Gonzalez</u> received from <u>InCharge Education Foundation</u>, <u>Inc.</u>, an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the <u>District of Puerto Rico</u>, an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by internet.

Date: September 18, 2010

By: /s/Yesenia Soto-Torres

Name: Yesenia Soto-Torres

Title: Certified Bankruptcy Counselor

\* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

Transmittal ID: 187732

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 9 of 44

Document _	Page 9 of 44
<b>B22C</b> (Official Form 22C) (Chapter 13) (04/10)	According to the calculations required by this statement:
	$\square$ The applicable commitment period is 3 years.
In re: colon diaz, Ivan & gonzalez gonzalez, Lourdes	▼ The applicable commitment period is 5 years.
Debtor(s)	☑ Disposable income is determined under § 1325(b)(3).
Case Number:	☐ Disposable income is not determined under § 1325(b)(3).
	(Check the boxes as directed in Lines 17 and 23 of this statement.)

# CHAPTER 13 STATEMENT OF CURRENT MONTHLY INCOME AND CALCULATION OF COMMITMENT PERIOD AND DISPOSABLE INCOME

In addition to Schedules I and J, this statement must be completed by every individual Chapter 13 debtor, whether or not filing jointly. Joint debtors may complete one statement only.

Part I. REPORT OF INCOME							
	a. [	ital/filing status. Check the box that applies and of Unmarried. Complete only Column A ("Debtor Married. Complete both Column A ("Debtor					
1	the si	igures must reflect average monthly income receivix calendar months prior to filing the bankruptcy of the before the filing. If the amount of monthly incoming divide the six-month total by six, and enter the re	case, ending on the last day of the me varied during the six months, you		Column A Debtor's Income	Column B Spouse's Income	
2	2 Gross wages, salary, tips, bonuses, overtime, commissions.				2,725.00	\$	
3	Income from the operation of a business, profession, or farm. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 3. If you operate more than one business, profession or farm, enter aggregate numbers and provide details on an attachment. Do not enter a number less than zero. Do not include any part of the business expenses entered on Line b as a deduction in Part IV.						
	a.	Gross receipts	\$				
	b.	Ordinary and necessary operating expenses	\$				
	c.	Business income	Subtract Line b from Line a	\$		\$	
4	Rent and other real property income. Subtract Line b from Line a and enter the difference in the appropriate column(s) of Line 4. Do not enter a number less than zero. Do not include any part of the operating expenses entered on Line b as a deduction in Part IV.					c	
	a.	Gross receipts	\$				
	b.	Ordinary and necessary operating expenses	\$				
	c.	Rent and other real property income	Subtract Line b from Line a	\$		\$	
5	Inte	rest, dividends, and royalties.		\$		\$	
6	Pens	ion and retirement income.		\$		\$	
7	expe that	amounts paid by another person or entity, on a nses of the debtor or the debtor's dependents, purpose. Do not include alimony or separate maine debtor's spouse.	including child support paid for	\$		\$	

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 10 of 44 **B22C** (Official Form 22C) (Chapter 13) (04/10)

8	Unemployment compensation. Enter However, if you contend that unemplo was a benefit under the Social Security Column A or B, but instead state the a							
	Unemployment compensation claimed to be a benefit under the Social Security Act	Debtor \$	Spouse \$		\$	\$		
9	Income from all other sources. Specisources on a separate page. Total and omaintenance payments paid by your or separate maintenance. Do not incompare a victim of international or domestic terrorism.  a.  b.	enter on Line 9. <b>Do not inc</b> • spouse, but include all of lude any benefits received u	her payme inder the So the humanity,	ny or separate nts of alimony ocial Security	7	\$		
10	<b>Subtotal.</b> Add Lines 2 thru 9 in Colum through 9 in Column B. Enter the total		ompleted, a	dd Lines 2	\$ 2,725.0	\$		
11	Total. If Column B has been completed, add Line 10, Column A to Line 10, Column B, and enter the total. If Column B has not been completed, enter the amount from Line 10, Column A.							
	Part II. CALCULATION OF § 1325(b)(4) COMMITMENT PERIOD							
12	Enter the amount from Line 11.					\$	2,725.00	
13	Marital Adjustment. If you are married, but are not filing jointly with your spouse, AND if you contend that calculation of the commitment period under § 1325(b)(4) does not require inclusion of the income of your spouse, enter the amount of the income listed in Line 10, Column B that was NOT paid on a regular basis for the household expenses of you or your dependents. Otherwise, enter zero.  a.  \$ b.							
	b. c.			\$				
	Total and enter on Line 13.					\$	0.00	
14	Subtract Line 13 from Line 12 and o	enter the result.				\$	2,725.00	
15	Annualized current monthly income 12 and enter the result.	for § 1325(b)(4). Multiply	the amoun	t from Line 14	by the number	\$	32,700.00	
16	<b>Applicable median family income.</b> Enter the median family income for the applicable state and household size. (This information is available by family size at <a href="https://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of							
	a. Enter debtor's state of residence: Pu			debtor's house	ehold size: 2	\$	20,930.00	
17	Application of § 1325(b)(4). Check th  ☐ The amount on Line 15 is less th  3 years" at the top of page 1 of th	an the amount on Line 16	. Check the	box for "The	applicable comm	nitmen	nt period is	
	The amount on Line 15 is not less period is 5 years" at the top of page					ommit	tment	
	Part III. APPLICATION O	F § 1325(b)(3) FOR DE	TERMIN	ING DISPOS	SABLE INCO	ME		
18	Enter the amount from Line 11.					\$	2,725.00	

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 11 of 44 B22C (Official Form 22C) (Chapter 13) (04/10)

19	Official Form 22C) (Chapter 13) (04  Marital adjustment. If you are maritotal of any income listed in Line 10, expenses of the debtor or the debtor'. Column B income (such as payment than the debtor or the debtor's depennecessary, list additional adjustments not apply, enter zero.  a.  b.	ied, but are not f Column B that v s dependents. Sport the spouse's ta dents) and the an	vas NO ecify ir ax liabi nount c	T paid on a regular basis for the lines below the basis for lity or the spouse's support of income devoted to each p	r the household or excluding the of persons other urpose. If		
	c.				\$		
	Total and enter on Line 19.					\$	0.00
20	Current monthly income for § 132	<b>5(b)(3).</b> Subtract	Line 1	9 from Line 18 and enter th	e result.	\$	2,725.00
21	<b>Annualized current monthly incom</b> 12 and enter the result.	ne for § 1325(b)(	( <b>3</b> ). Mu	ltiply the amount from Line	20 by the number	\$	32,700.00
22	Applicable median family income.	Enter the amount	t from 1	Line 16.		\$	20,930.00
23	<ul> <li>✓ The amount on Line 21 is more under § 1325(b)(3)" at the top of</li> <li>☐ The amount on Line 21 is not not determined under § 1325(b)(3)" complete Parts IV, V, or VI.</li> </ul>	page 1 of this standard the an	atemen <b>nount</b>	t and complete the remaining on Line 22. Check the box	g parts of this states for "Disposable inco	ment. ome i	s not
				ONS ALLOWED UND of the Internal Revenue Se			
24A	<b>National Standards: food, apparel miscellaneous.</b> Enter in Line 24A the Expenses for the applicable househol the clerk of the bankruptcy court.)	"Total" amount	from l	RS National Standards for A	Allowable Living	\$	985.00
National Standards: health care. Enter in Line a1 below the amount from IRS National Standards for Out-of-Pocket Health Care for persons under 65 years of age, and in Line a2 the IRS National Standards for Out-of-Pocket Health Care for persons 65 years of age or older. (This information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Enter in Line b1 the number of members of your household who are under 65 years of age, and enter in Line b2 the number of members of your household who are 65 years of age or older. (The total number of household members must be the same as the number stated in Line 16b.) Multiply Line a1 by Line b1 to obtain a total amount for household members under 65, and enter the result in Line c1. Multiply Line a2 by Line b2 to obtain a total amount for household members 65 and older, and enter the result in Line c2. Add Lines c1 and c2 to obtain a total health care amount, and enter the result in Line 24B.							
Household members under 65 years of age  Household members 65 years of age or							
	a1. Allowance per member	60.00	a2.	Allowance per member	144.00		
	b1. Number of members	2	b2.	Number of members	0		
	c1. Subtotal	120.00	c2.	Subtotal	0.00	\$	120.00
25A	Local Standards: housing and utili and Utilities Standards; non-mortgag information is available at www.usdo	e expenses for th	e appli	cable county and household	size. (This	\$	416.00

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 12 of 44 **B22C** (Official Form 22C) (Chapter 13) (04/10)

	Local Standards: housing and utilities; mortgage/rent expense. Enter, in Line a below, the amount of the IRS Housing and Utilities Standards; mortgage/rent expense for your county and household size (this information is available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter on Line b the total of the Average Monthly Payments for any debts secured by your home, as stated in Line 47; subtract Line b from Line a and enter the result in Line 25B. Do not enter an amount less than zero.					
25B	a.	IRS Housing and Utilities Standards; mortgage/rental expense	\$ 935.00			
	b.	Average Monthly Payment for any debts secured by your home, if any, as stated in Line 47	\$ 362.00			
	c.	Net mortgage/rental expense	Subtract Line b from Line a	\$ 573.00		
26	Local Standards: housing and utilities; adjustment. If you contend that the process set out in Lines 25A and 25B does not accurately compute the allowance to which you are entitled under the IRS Housing and Utilities Standards, enter any additional amount to which you contend you are entitled, and state the basis for your contention in the space below:					
27A	Local Standards: transportation; vehicle operation/public transportation expense. You are entitled to an expense allowance in this category regardless of whether you pay the expenses of operating a vehicle and regardless of whether you use public transportation.  Check the number of vehicles for which you pay the operating expenses or for which the operating expenses are included as a contribution to your household expenses in Line 7.  ▼ 0 □ 1 □ 2 or more.  If you checked 0, enter on Line 27A the "Public Transportation" amount from IRS Local Standards: Transportation. If you checked 1 or 2 or more, enter on Line 27A the "Operating Costs" amount from IRS Local Standards: Transportation for the applicable number of vehicles in the applicable Metropolitan					
		stical Area or Census Region. (These amounts are available at <a href="https://www.usebankruptcy.court">www.usebankruptcy.court</a> .)	sdoj.gov/ust/ or from the clerk	\$ 182.00		
27B	<b>Local Standards: transportation; additional public transportation expense.</b> If you pay the operating expenses for a vehicle and also use public transportation, and you contend that you are entitled to an					
28	Local Standards: transportation ownership/lease expense; Vehicle 1. Check the number of vehicles for which you claim an ownership/lease expense. (You may not claim an ownership/lease expense for more than two vehicles.)  1 2 or more.  Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at <a href="www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the clerk of the bankruptcy court); enter in Line b the total of the Average Monthly Payments for any debts secured by Vehicle 1, as stated in Line 47; subtract Line b from Line a and enter the result in Line 28. Do not enter an amount less than zero.  a. IRS Transportation Standards, Ownership Costs  Average Monthly Payment for any debts secured by Vehicle 1, as b. stated in Line 47  Subtract Line b from Line a					
	c.	Net ownership/lease expense for Vehicle 1	Subtract Line b from Line a	(c)		

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 13 of 44 B22C (Official Form 22C) (Chapter 13) (04/10)

<b>B22C</b> (	Official Form 22C) (Chapter 13) (04/10)			
	Local Standards: transportation ownership/lease expense; Vehicle 2. Complete this Line only if you checked the "2 or more" Box in Line 28.  Enter, in Line a below, the "Ownership Costs" for "One Car" from the IRS Local Standards: Transportation (available at www.usdoj.gov/ust/ or from the clerk of the bankruptcy court); enter in Line b			
29	the total of the Average Monthly Payments for any debts secured by Vehicle 2, as stated in Line 47; subtract Line b from Line a and enter the result in Line 29. <b>Do not enter an amount less than zero.</b>			
	a. IRS Transportation Standards, Ownership Costs \$			
	Average Monthly Payment for any debts secured by Vehicle 2, as stated in Line 47 \$			
	c. Net ownership/lease expense for Vehicle 2 Subtract Line b from Line a	\$		
30	Other Necessary Expenses: taxes. Enter the total average monthly expense that you actually incur for all federal, state, and local taxes, other than real estate and sales taxes, such as income taxes, self-employment taxes, social-security taxes, and Medicare taxes. Do not include real estate or sales taxes.	\$	184.22	
31	Other Necessary Expenses: involuntary deductions for employment. Enter the total average monthly deductions that are required for your employment, such as mandatory retirement contributions, union dues, and uniform costs. Do not include discretionary amounts, such as voluntary 401(k) contributions.			
32	Other Necessary Expenses: life insurance. Enter total average monthly premiums that you actually pay for term life insurance for yourself. Do not include premiums for insurance on your dependents, for whole life or for any other form of insurance.			
33	Other Necessary Expenses: court-ordered payments. Enter the total monthly amount that you are required to pay pursuant to the order of a court or administrative agency, such as spousal or child support payments. Do not include payments on past due obligations included in Line 49.			
34	Other Necessary Expenses: education for employment or for a physically or mentally challenged child. Enter the total average monthly amount that you actually expend for education that is a condition of employment and for education that is required for a physically or mentally challenged dependent child for whom no public education providing similar services is available.			
35	Other Necessary Expenses: childcare. Enter the total average monthly amount that you actually expend on childcare—such as baby-sitting, day care, nursery and preschool. Do not include other educational payments.			
36	Other Necessary Expenses: health care. Enter the total average monthly amount that you actually expend on health care that is required for the health and welfare of yourself or your dependents, that is not reimbursed by insurance or paid by a health savings account, and that is in excess of the amount entered in Line 24B. Do not include payments for health insurance or health savings accounts listed in Line 39.			
37	Other Necessary Expenses: telecommunication services. Enter the total average monthly amount that you actually pay for telecommunication services other than your basic home telephone and cell phone service—such as pagers, call waiting, caller id, special long distance, or internet service—to the extent necessary for your health and welfare or that of your dependents. Do not include any amount previously deducted.			
38	<b>Total Expenses Allowed under IRS Standards.</b> Enter the total of Lines 24 through 37.	\$	2,460.22	

© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

46

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Page 14 of 44

		Subpart B: Additional Expense Dec Note: Do not include any expenses that yo		
	expe	Ith Insurance, Disability Insurance, and Health Savings Anses in the categories set out in lines a-c below that are reasonse, or your dependents.	account Expenses. List the monthly onably necessary for yourself, your	
	a.	Health Insurance	\$	
39	b.	Disability Insurance	\$	
39	c.	Health Savings Account	\$	
		l and enter on Line 39		\$
	the s	ou do not actually expend this total amount, state your actuate below:	ial total average monthly expenditures in	
	\$			
40	mont elder	tinued contributions to the care of household or family methly expenses that you will continue to pay for the reasonable rely, chronically ill, or disabled member of your household or the to pay for such expenses. Do not include payments listed	and necessary care and support of an member of your immediate family who is	\$
41	you a Serv	ection against family violence. Enter the total average reason actually incur to maintain the safety of your family under the ices Act or other applicable federal law. The nature of these idential by the court.	Family Violence Prevention and	\$
42	Loca prov	ne energy costs. Enter the total average monthly amount, in earl Standards for Housing and Utilities, that you actually experide your case trustee with documentation of your actual the additional amount claimed is reasonable and necessa	nd for home energy costs. You must expenses, and you must demonstrate	\$
43	actua secon trust	cation expenses for dependent children under 18. Enter the ally incur, not to exceed \$147.92* per child, for attendance and ary school by your dependent children less than 18 years of the with documentation of your actual expenses, and you asonable and necessary and not already accounted for in	t a private or public elementary or f age. You must provide your case must explain why the amount claimed	\$
44	cloth Natio	itional food and clothing expense. Enter the total average many expenses exceed the combined allowances for food and conal Standards, not to exceed 5% of those combined allowance v.usdoj.gov/ust/ or from the clerk of the bankruptcy court.) Y tional amount claimed is reasonable and necessary.	clothing (apparel and services) in the IRS ces. (This information is available at	\$
45	chari	ritable contributions. Enter the amount reasonably necessaritable contributions in the form of cash or financial instrumer 5 U.S.C. § 170(c)(1)-(2). Do not include any amount in exeme.	its to a charitable organization as defined	\$

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

Total Additional Expense Deductions under § 707(b). Enter the total of Lines 39 through 45.

\$

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 15 of 44 B22C (Official Form 22C) (Chapter 13) (04/10)

		al Form 22C) (Chapter 13) (04		: Deductions for D	ebt Payn	nent				
	you o Payn the to follo	own, list the name of the creditor nent, and check whether the payr otal of all amounts scheduled as wing the filing of the bankruptcy. Enter the total of the Average I	r, identify ment inclu- contractua y case, divi	the property securing des taxes or insurance ally due to each Secu- ided by 60. If necess	g the debt ce. The A red Credi	t, state the A verage Mor itor in the 6	Average Monthly Pay  O months	Monthly ment is		
47		Name of Creditor	Property	Securing the Debt		Average Monthly Payment	include	payment e taxes or nsurance?		
	a.	DORAL FINANCIAL	Resider	nce	\$	362.00	□ yes	no 🔽 no		
	b.	MUEBLERIA BERRIOS			\$	9.17	☐ yes	no 🔽 no		
	c.				\$		☐ yes	s 🔲 no		
				Total: A	dd lines a	, b and c.			\$	371.17
	residence, a motor vehicle, or other property necessary for your support or the support of your depend you may include in your deduction 1/60th of any amount (the "cure amount") that you must pay the creditor in addition to the payments listed in Line 47, in order to maintain possession of the property. Cure amount would include any sums in default that must be paid in order to avoid repossession or foreclosure. List and total any such amounts in the following chart. If necessary, list additional entries separate page.				the erty. The or					
48		Name of Creditor		Property Securing	the Debt			Oth of the Amount		
	a.	DORAL FINANCIAL		Residence			\$	104.03		
	b.						\$			
	c.						\$			
						Total: Ad	ld lines a	, b and c.	\$	104.03
49	such	nents on prepetition priority c as priority tax, child support an ruptcy filing. Do not include cu	d alimony	claims, for which yo	u were li	able at the t	ime of yo		\$	
		pter 13 administrative expense esulting administrative expense.	es. Multipl	y the amount in Line	a by the	amount in I	Line b, ar	nd enter		
	a.	Projected average monthly Ch	apter 13 p	lan payment.	\$					
50	b.	Current multiplier for your disschedules issued by the Execu Trustees. (This information is <a href="https://www.usdoj.gov/ust/">www.usdoj.gov/ust/</a> or from the court.)	tive Office available a	e for United States	X					
	c.	Average monthly administrative case	ve expense	of Chapter 13	Total: I and b	Multiply Lir	nes a		\$	
51	Total	<b>Deductions for Debt Payment.</b> E	nter the to	tal of Lines 47 throug	gh 50.				\$	475.20
			Subpart D	: Total Deductions	from Inc	come				
									_	

2,935.42

**Total of all deductions from income.** Enter the total of Lines 38, 46, and 51.

52

### Part V. DETERMINATION OF DISPOSABLE INCOME UNDER § 1325(b)(2) \$ 53 **Total current monthly income.** Enter the amount from Line 20. 2,725.00 **Support income.** Enter the monthly average of any child support payments, foster care payments, or 54 disability payments for a dependent child, reported in Part I, that you received in accordance with applicable nonbankruptcy law, to the extent reasonably necessary to be expended for such child. \$ Qualified retirement deductions. Enter the monthly total of (a) all amounts withheld by your employer from wages as contributions for qualified retirement plans, as specified in § 541(b)(7) and (b) all required 55 repayments of loans from retirement plans, as specified in § 362(b)(19). \$ \$ **Total of all deductions allowed under § 707(b)(2).** Enter the amount from Line 52. 2,935.42 56 **Deduction for special circumstances.** If there are special circumstances that justify additional expenses for which there is no reasonable alternative, describe the special circumstances and the resulting expenses in lines a-c below. If necessary, list additional entries on a separate page. Total the expenses and enter the total in Line 57. You must provide your case trustee with documentation of these expenses and you must provide a detailed explanation of the special circumstances that make such expenses necessary and reasonable. Amount of 57 Nature of special circumstances expense \$ \$ b. \$ Total: Add Lines a, b, and c Total adjustments to determine disposable income. Add the amounts on Lines 54, 55, 56, and 57 and 58 \$ 2,935.42 enter the result. 59 Monthly Disposable Income Under § 1325(b)(2). Subtract Line 58 from Line 53 and enter the result. -210.42 Part VI. ADDITIONAL EXPENSE CLAIMS Other Expenses. List and describe any monthly expenses, not otherwise stated in this form, that are required for the health and welfare of you and your family and that you contend should be an additional deduction from your current monthly income under § 707(b)(2)(A)(ii)(I). If necessary, list additional sources on a separate page. All figures should reflect your average monthly expense for each item. Total the expenses. **Expense Description** Monthly Amount 60 \$ \$ b. \$ c. Total: Add Lines a, b and c **Part VII. VERIFICATION** I declare under penalty of perjury that the information provided in this statement is true and correct. (If this a joint case, both debtors must sign.) 61 Date: **November 15, 2010** Signature: /s/ IVAN COLON DIAZ (Debtor) Date: **November 15, 2010** Signature: /s/ LOURDES GONZALEZ GONZALEZ

993-2010 FZ-Filing Inc. [1-800-998-2424] - Forms Software Only

WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2

### UNITED STATES BANKRUPTCY COURT

### NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days <u>before</u> the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

### **Chapter 7:** Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your

discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

# <u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at <a href="http://www.uscourts.gov/bkforms/bankruptcy">http://www.uscourts.gov/bkforms/bankruptcy</a> forms.html#procedure.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

# B201B (Form 2015) 0725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main

### Document Page 19 of 44 United States Bankruptcy Court District of Puerto Rico

IN RE:	Case No.
COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES	Chapter 13
Debtor(s)	•

	CE TO CONSUMER DEBTOR(S) HE BANKRUPTCY CODE	
Certificate of [Non-Attorney	] Bankruptcy Petition Preparer	
I, the [non-attorney] bankruptcy petition preparer signing the debte notice, as required by § 342(b) of the Bankruptcy Code.	or's petition, hereby certify that I delivered to the	debtor the attached
Printed Name and title, if any, of Bankruptcy Petition Preparer Address:	Social Security number petition preparer is not the Social Security num principal, responsible p the bankruptcy petition	an individual, state iber of the officer, erson, or partner of preparer.)
X	(Required by 11 U.S.C.	g 110.)
Certificate	of the Debtor	
I (We), the debtor(s), affirm that I (we) have received and read the	e attached notice, as required by § 342(b) of the B	ankruptcy Code.
COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES	X /s/ IVAN COLON DIAZ	11/15/2010
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	X /s/ LOURDES GONZALEZ GONZALEZ	11/15/2010
	Signature of Joint Debtor (if any)	Date

Instructions: Attach a copy of Form B 201A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) **only** if the certification has **NOT** been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

B6 Summary (Form 6-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Document Page 20 of 44 United States Bankruptcy Court Desc: Main

# **District of Puerto Rico**

IN RE:	Case No.
COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES	Chapter 13
Debtor(s)	•

### **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NUMBER OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 85,000.00		
B - Personal Property	Yes	3	\$ 38,023.49		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$ 53,522.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	2		\$ 19,794.73	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			\$ 1,709.88
J - Current Expenditures of Individual Debtor(s)	Yes	2			\$ 1,459.88
	TOTAL	15	\$ 123,023.49	\$ 73,316.73	

### Form 6 Case: 10-10725-M/CF13 Doc#:1 Filed: 11/15/10 Entered: 11/15/10 08:34:59 Desc: Main

### Document Page 21 of 44 United States Bankruptcy Court District of Puerto Rico

IN RE:	Case No.
COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES	Chapter 13
Debtor(s)	•

### STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	\$ 0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	\$ 0.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	\$ 0.00
Student Loan Obligations (from Schedule F)	\$ 0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	\$ 0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	\$ 0.00
TOTAL	\$ 0.00

### **State the following:**

Average Income (from Schedule I, Line 16)	\$ 1,709.88
Average Expenses (from Schedule J, Line 18)	\$ 1,459.88
Current Monthly Income (from Form 22A Line 12; <b>OR</b> , Form 22B Line 11; <b>OR</b> , Form 22C	
Line 20)	\$ 2,725.00

### **State the following:**

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		\$ 0.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column.	\$ 0.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		\$ 0.00
4. Total from Schedule F		\$ 19,794.73
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		\$ 19,794.73

B6A (Official Form QA) (17/67)5-MCF13	Doc#:1	Filed:11/15/10	Entered:11/15/10 08:34:59	Desc: Mair
Dori (Official Form off) (12/07)		Nooumont Dog	o 22 of 44	

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Debtor(s)

\_ Case No.

(If known)

### **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
Residential property located at Vista Monte, 16 Principal Street in Cidra, Puerto Rico. This property consists of two (2) bedrooms, one (1) bathroom, living room, dining room, kitchen and garage.		J	85,000.00	52,972.00

TOTAL

85,000.00

(Report also on Summary of Schedules)

Debtor(s)

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

\_\_\_\_\_ Case No.

(If known)

### **SCHEDULE B - PERSONAL PROPERTY**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1.	Cash on hand.	Х			
	Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Coop A/C Cidreña Account: 5055 Savings/Shares	J	11.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X			
4.	Household goods and furnishings, include audio, video, and computer equipment.		Misc. Household Goods and Furnishings	J	5,000.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	х			
6.	Wearing apparel.		Clothes and personal effects	J	300.00
7.	Furs and jewelry.	Х			
8.	Firearms and sports, photographic, and other hobby equipment.	X			
9.	Interest in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.	X			
10.	Annuities. Itemize and name each issue.	X			
11.	Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	X			
12.	Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	X			
13.	Stock and interests in incorporated and unincorporated businesses.  Itemize.	X			
14.	Interests in partnerships or joint ventures. Itemize.	Х			

B6B (Official Form 0B) 10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

\_ Case No. \_

Debtor(s)

(If known)

### SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

					T
	TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
15.	Government and corporate bonds and other negotiable and non-negotiable instruments.	Х			
16.	Accounts receivable.	X			
17.	Alimony, maintenance, support, and property settlements in which the debtor is or may be entitled. Give particulars.	X			
18.	Other liquidated debts owed to debtor including tax refunds. Give particulars.	X			
19.	Equitable or future interest, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	X			
20.	Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		Adjudication of inheritance by Sucn. Cornelio Gonzalez Gonzalez.	J	13,277.49
21.	Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.		Claim for Salary Adjustment (approximately)	J	16,000.00
22.	Patents, copyrights, and other intellectual property. Give particulars.	Х			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	X			
25.	Automobiles, trucks, trailers, and other vehicles and accessories.		1999 Toyota Tercel	J	3,435.00
26.	Boats, motors, and accessories.	Х			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			

6B (Official Form 0B) (12707)5-MCF13	Doc#:1	Filed:11/15/10	Entered:11/15/10 08:34:59	Desc: Main
DOD (Official Form OD) (12/07) Cont.		Nooumont Dog	o 2E of 44	

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES 25 of 44

\_ Case No. \_\_\_

Debtor(s)

(If known)

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT VALUE OF DEBTOR'S INTEREST IN PROPERTY WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
35. Other personal property of any kind not already listed. Itemize.	X			
			TAL	38,023.49

B6C (Official Form 0c 107725 - MCF13	Doc#:1	Filed:11/15/10	Entered:11/15/10 08:34:59	Desc: Main
Bue (official Form de) (0 i/10)		looumont Dog	o 26 of 44	

Debtor(s)

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES 26 of 44

\_ Case No.

(If known)

### SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:	:
(Check one box)	

Check if debtor claims a homestead exemption that exceeds \$146,450. \*

11 U.S.C. § 522(b)(2) 11 U.S.C. § 522(b)(3)

		VALUE OF CLAIMED	CURRENT VALUE OF PROPERTY
DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	EXEMPTION	WITHOUT DEDUCTING EXEMPTIONS
SCHEDULE A - REAL PROPERTY			
Residential property located at Vista Monte, 16 Principal Street in Cidra, Puerto Rico. This property consists of two (2) bedrooms, one (1) bathroom, living room, dining room, kitchen and garage.	11 USC § 522(d)(1)	32,028.00	85,000.0
SCHEDULE B - PERSONAL PROPERTY			
Coop A/C Cidreña Account: 5055 Savings/Shares	11 USC § 522(d)(5)	11.00	11.00
Misc. Household Goods and Furnishings	11 USC § 522(d)(3)	4,450.00	5,000.00
Clothes and personal effects	11 USC § 522(d)(3)	300.00	300.00
Claim for Salary Adjustment	11 USC § 522(d)(5)	2,289.00	16,000.00
(approximately)	11 USC § 522(d)(5)	11,222.00	
1999 Toyota Tercel	11 USC § 522(d)(2)	3,435.00	3,435.00
		1	l

<sup>\*</sup> Amount subject to adjustment on 4/1/13 and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6D (Official Form 05) (12/67)5-MCF13	Doc#:1	Filed:11/15/10	Entered:11/15/10 08:34:59	Desc: Mair
DOD (Official Form OD) (12/07)		Nooumont Dog	o 27 of 44	

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

Case No.

Debtor(s)

(If known)

### SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is the creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H – Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim Without Deducting Value of Collateral" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion, if Any" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO. 8665		J	Mortgage account opened 7/04	T			52,972.00	
DORAL FINANCIAL 1451 FD ROOSEVELT AVE SAN JUAN, PR 00920								
			VALUE \$ 85,000.00					
ACCOUNT NO.			Assignee or other notification for:					
NICOLAS QUINONES CASTRILLO PO BOX 195389 SAN JUAN, PR 00919-5389		     	DORAL FINANCIAL					
			VALUE \$					
ACCOUNT NO. 5501		Н	Installment account opened 11/09				550.00	
MUEBLERIA BERRIOS PO BOX 674 CIDRA, PR 00739-0674			VALUE © <b>5 000 00</b>					
			VALUE \$ 5,000.00	╁	$\vdash$			
ACCOUNT NO.			VALUE \$					
<b>0</b> continuation sheets attached			(Total of the		otota		\$ 53,522.00	\$
			(Use only on l		Tota page		\$ <b>53,522.00</b> (Report also on	\$ (If applicable, report

(Report also or Summary of Schedules.) (If applicable, report also on Statistical Summary of Certain Liabilities and Related Data.)

B6E (Official Form 0E) (04712)5-MCF13	Doc#:1	Filed:11/15/10	Entered:11/15/10 08:34:59	Desc: Mair
DOD (Official Form OD) (0 1/10)		Nooumont Dog	0.20 of 44	

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Case No.

Debtor(s) (If known)

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed

	is Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the tical Summary of Certain Liabilities and Related Data.
listed	port the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on tatistical Summary of Certain Liabilities and Related Data.
<b>√</b> (	Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYF	PES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
	Domestic Support Obligations Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
_ (	Extensions of credit in an involuntary case  Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
— , i	Wages, salaries, and commissions Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
_ ]	Contributions to employee benefit plans  Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
	Certain farmers and fishermen  Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
_ (	Deposits by individuals  Claims of individuals up to \$2,600* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
	Taxes and Certain Other Debts Owed to Governmental Units Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
_ (	Commitments to Maintain the Capital of an Insured Depository Institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
_ (	Claims for Death or Personal Injury While Debtor Was Intoxicated Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).
;	* Amounts are subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.
	ontinuation sheets attached

# B6F (Official Form 0F) (12/07) 5-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 29 of 44

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

Case No.

(If known)

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

Debtor(s)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 9397		Н	Open account opened 12/08				
AFNI INC DISH NETWORK PO BOX 3097 BLOOMINGTON, IL 61702							173.00
ACCOUNT NO. <b>6847</b>		J	Principal: \$24,575.12. less shares/savings \$20310.38 = \$4,265.(Approximately)				
ASOCIACION EMPLEADOS ELA PO BOX 364508 SAN JUAN, PR 00936-4508			Debtor agrees surrender of shares/savings.				4 005 00
ACCOUNT NO. <b>5555</b>		Н	Installment account opened 12/06				4,265.00
FIRST BANK PO BOX 19327 SAN JUAN, PR 00910-1427			Deficiency (2007 Toyota Yaris)				
ACCOUNT NO. <b>0234</b>	+	J					1,301.25
OPERATING PARTNERS CO. SANTANDER FINANCIAL 270 MUNOZ RIVERA NO 401 SAN JUAN, PR 00918							
2							3,098.00
1 continuation sheets attached			(Total of the	Sub nis p			\$ 8,837.25
			(Use only on last page of the completed Schedule F. Report the Summary of Schedules and, if applicable, on the S Summary of Certain Liabilities and Relate	t als tatis	tica	n al	\$

Debtor(s)

\_\_ Case No. \_ (If known)

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

		(1	Continuation Sheet)				
CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.			Assignee or other notification for:	П			
OSVALDO RODRIGUEZ FERNANDEZ PO BOX 71418 SAN JUAN, PR 00936-8518			OPERATING PARTNERS CO.				
ACCOUNT NO. 5353		W	Open account opened 8/08				
PENTAGROUP FINANCIAL 5959 CORPORATE DR HOUSTON, TX 77036							1,776.00
ACCOUNT NO. <b>738A</b>		J				H	1,1100
US DEPARTMENT OF THE TREASURY LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP PO BOX 70955 CHARLOTTE, NC 28272-0955							9,181.48
ACCOUNT NO.			Assignee or other notification for:			Ħ	-
LINEBARGERGOGGAN BLAIR & SAMPSON, LLP PO BOX 3585 HOUSTON, TX 77253-3585			US DEPARTMENT OF THE TREASURY				
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
Sheet no1 of1 continuation sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			(Total of th		age	)	\$ 10,957.48
			(Use only on last page of the completed Schedule F. Report the Summary of Schedules, and if applicable, on the St Summary of Certain Liabilities and Relate	als atis	tica	n al	\$ 19,794.73

B6G (Official Form 65) (17/67) - MCF13	Doc#:1	Filed:11/15/10	Entered:11/15/10 08:34:59	Desc: Mair
200 (Official Form 00) (12/07)		Nooumont Dog	o 21 of 44	

Document Page 31 of 44 IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

Debtor(s)

Case No.

(If known)

### SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

✓ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE OF OTHER PARTIES TO LEASE OR CONTRACT	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.

B6H (Official Form 01) (1/67) - MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 32 of 44

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

\_\_ Case No.

Debtor(s)

(If known)

### **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight-year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
I and the second	I and the second

B6I (Official Form 6) 107/25-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Page 33 of 44

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

Debtor(s)

Case No.

(If known)

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on From 22A, 22B, or 22C.

Debtor's Marital Status	otor's Marital Status DEPENDENTS OF DEBTOR AND SPOUSE						
Married		RELATIONSHIP(S):				AGE(S):	
EMPLOYMENT:		DEBTOR			SPOUSE		
Occupation	Police						
Name of Employer	Policia De PR	R Ho	ousewife				
How long employed	22 years						
Address of Employer	Cayey, PR						
	Ouycy, i K						
INCOME: (Estima	ate of average or	r projected monthly income at time case filed)	)		DEBTOR		SPOUSE
		lary, and commissions (prorate if not paid mo		\$	2,725.00	\$	
2. Estimated month	ly overtime	•	•	\$		\$	
3. SUBTOTAL				\$	2,725.00	\$	0.00
4. LESS PAYROL	L DEDUCTION	NS					
a. Payroll taxes a	nd Social Secur	ity		\$	184.20	\$	
b. Insurance				\$	421.52	\$	
c. Union dues				\$		\$	
d. Other (specify)	See Schedu	le Attached		\$	584.40	\$	
5. SUBTOTAL O		DEDUCTIONS		\$	1,190.12	<u>\$</u>	0.00
6. TOTAL NET M				¢	1,534.88		0.00
0. TOTAL NET W	IONTILLI TA	KE HOME I A I		Φ	1,334.00	Φ	0.00
7. Regular income	from operation of	of business or profession or farm (attach detai	iled statement)	\$		\$	
8. Income from rea			ŕ	\$		\$	
9. Interest and divid				\$		\$	
		ort payments payable to the debtor for the deb	otor's use or	Φ.		Φ.	
that of dependents 11. Social Security		mant assistance		\$		\$	
		illient assistance		\$		\$	
(Specify)				\$		\$	
12. Pension or retir	ement income			\$		\$	
13. Other monthly							
(Specify) Christr		05.50/12		\$	75.00		
Seg Me	ed Patrono			\$	100.00		
				\$		\$	
14. SUBTOTAL C	F LINES 7 TH	HROUGH 13		\$	175.00	\$	
		<b>COME</b> (Add amounts shown on lines 6 and 14	4)	\$	1,709.88		0.00
		(- 1.1. 1.1. 1.1. 1.1. 1.1. 1.1. 1.1. 1.	,		,		
		ONTHLY INCOME: (Combine column total	ls from line 15;				
if there is only one	debtor repeat to	otal reported on line 15)			\$	1,709.8	<u>8</u>
				(Report a	lso on Summary of Sch	edules and if	applicable on

Statistical Summary of Certain Liabilities and Related Data) 17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

None

### Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main

Document Page 34 of 44 IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES \_ Case No. \_

Debtor(s)

### SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

**Continuation Sheet - Page 1 of 1** 

	DEBTOR	SPOUSE
Other Payroll Deductions:		
AEELA Šavings	80.10	
Asoc Miem Pol	13.00	
Fondo Beneficios	1.00	
Retire Loan	264.80	
Retire	225.50	

B6J (Official Form 0) 10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 35 of 44
IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

c. Monthly net income (a. minus b.)

Debtor(s)

\_ Case No. \_

(If known)

250.00

SCHEDIILE I	- CURRENT EXPENDITURES	OF INDIVIDUAL DERT	)R(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorat quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the de on Form22A or 22C.	e any payments eductions from	s made biweekly, income allowed
Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete expenditures labeled "Spouse."	e a separate	e schedule of
1. Rent or home mortgage payment (include lot rented for mobile home)  a. Are real estate taxes included? Yes No	\$	362.00
<ul> <li>b. Is property insurance included? Yes No</li> <li>2. Utilities:</li> <li>a. Electricity and heating fuel</li> </ul>	\$	52.88
b. Water and sewer	\$ ——	30.00
c. Telephone	\$	40.00
d. Other	\$	
	\$	
3. Home maintenance (repairs and upkeep)	\$	250.00
4. Food 5. Clothing	\$	250.00 40.00
6. Laundry and dry cleaning	\$ —— \$	40.00
7. Medical and dental expenses	\$	250.00
8. Transportation (not including car payments)	\$	
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	60.00
10. Charitable contributions	\$	
11. Insurance (not deducted from wages or included in home mortgage payments) a. Homeowner's or renter's	¢	
a. Homeowner's or renter's b. Life	\$	
c. Health	\$	
d. Auto	\$	
e. Other	\$	
	\$	
12. Taxes (not deducted from wages or included in home mortgage payments)	¢	
(Specify)	— ¢ —	
13. Installment payments: (in chapter 11, 12 and 13 cases, do not list payments to be included in the plan)	Ψ	
a. Auto	\$	
b. Other	\$	
	\$	
14. Alimony, maintenance, and support paid to others		
<ul><li>15. Payments for support of additional dependents not living at your home</li><li>16. Regular expenses from operation of business, profession, or farm (attach detailed statement)</li></ul>	\$ \$	
17. Other See Schedule Attached	\$ ——	375.00
17. Office decondational and a secondation and a	\$ 	0.0.00
	\$	
<b>18. AVERAGE MONTHLY EXPENSES</b> (Total lines 1-17. Report also on Summary of Schedules and, if applicable, on the Statistical Summary of Certain Liabilities and Related Data.	\$	1,459.88
19. Describe any increase or decrease in expenditures anticipated to occur within the year following the filing of <b>None</b>	of this docui	ment:
20. STATEMENT OF MONTHLY NET INCOME  a. Average monthly income from Line 15 of Schedule I	\$	1,709.88
b. Average monthly expenses from Line 18 above	\$	1,459.88

### Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main

Document Page 36 of 44

IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

\_ Case No. \_

Debtor(s)

### SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

**Continuation Sheet - Page 1 of 1** 

Other Expenses (DEBTOR)
Gasoline/Maintenance
Barber/Beauty
Glass Expenses \$300./12
Lunch At Work

160.00 50.00 25.00

140.00

B6 Declaration (Ontrial Form 5-MCF13) (D07#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main IN RE COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES

© 1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

Case No. (If known)

### DECLARATION CONCERNING DEBTOR'S SCHEDULES

Debtor(s)

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

true and correct to the best of my ki		summary and schedules, cons belief.	sisting of17 sheets, and that they are
·	•		
Date: <b>November 15, 2010</b>	Signature: /s/ IVAN COL		Debtor
			_
Date: <b>November 15, 2010</b>		<u>DES GONZALEZ GONZALEZ</u> S GONZALEZ GONZALEZ	(Joint Debtor, if any)
	2001.020		[If joint case, both spouses must sign.]
DECLARATION AND SIG	NATURE OF NON-ATTORN	EY BANKRUPTCY PETITION	PREPARER (See 11 U.S.C. § 110)
compensation and have provided the de and 342 (b); and, (3) if rules or guidel	btor with a copy of this docum ines have been promulgated pu ven the debtor notice of the man	ent and the notices and informations around to 11 U.S.C. § 110(h) set	J.S.C. § 110; (2) I prepared this document for on required under 11 U.S.C. §§ 110(b), 110(h), tting a maximum fee for services chargeable by any document for filing for a debtor or accepting
Printed or Typed Name and Title, if any, of I	Bankruptcy Petition Preparer	<u>-</u>	Social Security No. (Required by 11 U.S.C. § 110.)
· -	not an individual, state the na		social security number of the officer, principal,
Address			
Signature of Bankruptcy Petition Preparer			Date
Names and Social Security numbers of a is not an individual:	all other individuals who prepar	ed or assisted in preparing this do	ocument, unless the bankruptcy petition preparer
If more than one person prepared this	document, attach additional sig	gned sheets conforming to the ap	ppropriate Official Form for each person.
A bankruptcy petition preparer's failure imprisonment or both. 11 U.S.C. § 110		of title 11 and the Federal Rules	of Bankruptcy Procedure may result in fines or
DECLARATION UND	ER PENALTY OF PERJU	RY ON BEHALF OF CORPO	DRATION OR PARTNERSHIP
I, the	(the	e president or other officer or	an authorized agent of the corporation or a
	as debtor in this case, declar sheets (total shown on sum	are under penalty of perjury th	hat I have read the foregoing summary and they are true and correct to the best of my
Date:	Signature:		

[An individual signing on behalf of a partnership or corporation must indicate position or relationship to debtor.]

# B7 (Official Figure 70-1/0725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Document Page 38 of 44

**United States Bankruptcy Court District of Puerto Rico** 

Desc: Main

IN RE:	Case No
COLON DIAZ, IVAN & GONZALEZ GONZALEZ, LOURDES	Chapter 13
Debtor(s)	•

### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 -25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

### 1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

37,003.00 2008 Income from Employment

36,264.00 2009 Income from Employment

25,079.00 2010 Income from Employment YTD

petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 2. Income other than from employment or operation of business

None State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 3. Payments to creditors

Complete a. or b., as appropriate, and c.

a. Individual or joint debtor(s) with primarily consumer debts: List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within 90 days immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59

Document Page 39 of 44 None b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within 90 days immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850.\* If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) \* Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment. c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) 4. Suits and administrative proceedings, executions, garnishments and attachments a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) CAPTION OF SUIT COURT OR AGENCY STATUS OR NATURE OF PROCEEDING AND CASE NUMBER AND LOCATION DISPOSITION **Operating Partners Co Collection of Money Court of First Instance Pending** Cidra, Puerto Rico Lourdes, Gonzalez Gonzalez Case No.: ECCI201000064 **Doral Bank** Collection of Money and **Court of First Intance Pending Foreclosure of Mortgage** Caguas, Puerto Rico Ivan Colón Diaz Case No.: ECD2010-0434 b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.) 5. Repossessions, foreclosures and returns List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to

NAME AND ADDRESS OF CREDITOR OR SELLER

First Bank PO Box 19327 San Juan, PR 00910-1427 DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN June, 2010

the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a

> DESCRIPTION AND VALUE OF PROPERTY 2007 Toyota Yaris Value: \$8,500.00

### 6. Assignments and receiverships

joint petition is not filed.)

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and joint petition is not filed.)

None b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 7. Gifts

1993-2010 EZ-Filing, Inc. [1-800-998-2424] - Forms Software Only

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 13. Setoffs

None List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

### 14. Property held for another person

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER Carmen L. Diaz **Bda. Polvorin S29 22 Street** 

DESCRIPTION AND VALUE OF PROPERTY 1999 Toyota Tercel Value: \$3,435.

LOCATION OF PROPERTY Vista Monte, 16 Pricipal Street, Cidra, Puerto Rico

### 15. Prior address of debtor

None If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within **eight years** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

### 17. Environmental Information

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.



a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law.



b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.



c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

### 18. Nature, location and name of business



a. *If the debtor is an individual*, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

Volle

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 42 of 44

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: <b>November 15, 2010</b>	Signature /s/IVAN COLON DIAZ of Debtor	IVAN COLON DIAZ
Date: November 15, 2010	Signature /s/LOURDES GONZALEZ GONZALEZ	
	of Joint Debtor (if any)	LOURDES GONZALEZ GONZALEZ
	<b>0</b> continuation pages attached	

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. § 152 and 3571.

# Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main Document Page 43 of 44 United States Bankruptcy Court District of Puerto Rico

IN RE:		Case No.
COLON DIAZ, IVAN & GONZALE	Z GONZALEZ, LOURDES  Debtor(s)	Chapter 13
	VERIFICATION OF CREDIT	OR MATRIX
The above named debtor(s) here	eby verify(ies) that the attached matrix list	ing creditors is true to the best of my(our) knowledge.
Data: Nevember 45, 2040	Cianatura, /a/ IV/AN COLON DIAZ	
Date: <b>November 15, 2010</b>	Signature: /s/IVAN COLON DIAZ	Debtor
Date: <b>November 15, 2010</b>	Signature: /s/ LOURDES GONZAL	EZ GONZALEZ
	LOURDES GONZALEZ	GONZALEZ Joint Debtor, if any

Case:10-10725-MCF13 Doc#:1 Filed:11/15/10 Entered:11/15/10 08:34:59 Desc: Main

COLON DIAZ, IVAN PO BOX 692 CIDRA, PR 00739 Document Page 44 of 44
OPERATING PARTNERS CO.
SANTANDER FINANCIAL
270 MUNOZ RIVERA NO 401
SAN JUAN, PR 00918

GONZALEZ GONZALEZ, LOURDES

PO BOX 692 CIDRA, PR 00739 OSVALDO RODRIGUEZ FERNANDEZ PO BOX 71418 SAN JUAN, PR 00936-8518

R. Figueroa Carrasquillo Law Office PO Box 193677 San Juan. PR 00919-3677 PENTAGROUP FINANCIAL 5959 CORPORATE DR HOUSTON, TX 77036

AFNI INC DISH NETWORK PO BOX 3097 BLOOMINGTON, IL 61702 US DEPARTMENT OF THE TREASURY LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP PO BOX 70955 CHARLOTTE, NC 28272-0955

ASOCIACION EMPLEADOS ELA PO BOX 364508 SAN JUAN, PR 00936-4508

DORAL FINANCIAL 1451 FD ROOSEVELT AVE SAN JUAN, PR 00920

FIRST BANK PO BOX 19327 SAN JUAN, PR 00910-1427

LINEBARGERGOGGAN BLAIR & SAMPSON, LLP PO BOX 3585 HOUSTON, TX 77253-3585

MUEBLERIA BERRIOS PO BOX 674 CIDRA, PR 00739-0674

NICOLAS QUINONES CASTRILLO PO BOX 195389 SAN JUAN, PR 00919-5389